

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**DANIEL PENADES**

(full name of the plaintiff or petitioner applying (each person must submit a separate application))

-against-

CV ( ) ( )

(Provide docket number, if available; if filing this with your complaint, you will not yet have a docket number.)

**THE REPUBLIC OF ECUADOR**

**18CV4493**

(full name(s) of the defendant(s)/respondent(s))

**APPLICATION TO PROCEED WITHOUT PREPAYING FEES OR COSTS**

I am a plaintiff/petitioner in this case and declare that I am unable to pay the costs of these proceedings and I believe that I am entitled to the relief requested in this action. In support of this application to proceed *in forma pauperis* (IFP) (without prepaying fees or costs), I declare that the responses below are true:

1. Are you incarcerated? ☐ Yes ☒ No (If "No," go to Question 2.)

I am being held at: \_\_\_\_\_

Do you receive any payment from this institution? ☐ Yes ☒ No

Monthly amount: \_\_\_\_\_

If I am a prisoner, *see* 28 U.S.C. § 1915(h), I have attached to this document a "Prisoner Authorization" directing the facility where I am incarcerated to deduct the filing fee from my account in installments and to send to the Court certified copies of my account statements for the past six months. *See* 28 U.S.C. § 1915(a)(2), (b). I understand that this means that I will be required to pay the full filing fee.

2. Are you presently employed? ☐ Yes ☒ No

If "yes," my employer's name and address are: \_\_\_\_\_

Gross monthly pay or wages: \_\_\_\_\_

If "no," what was your last date of employment? More than 10 years ago in Uruguay

Gross monthly wages at the time: 400

3. In addition to your income stated above (which you should not repeat here), have you or anyone else living at the same residence as you received more than \$200 in the past 12 months from any of the following sources? Check all that apply.

(a) Business, profession, or other self-employment

☒ Yes

☐ No

(b) Rent payments, interest, or dividends

☐ Yes

☒ No

- |   |                              |  |
|---|------------------------------|--|
| (c) Pension, annuity, or life insurance payments  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability or worker's compensation payments  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts or inheritances   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other public benefits (unemployment, social security, food stamps, veteran's, etc.) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (g) Any other sources   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

The mother of my daughter receive an average of \$750 (monthly) from her job. I do not receive anything. No expectation.

If you answered "No" to all of the questions above, explain how you are paying your expenses:

The mother of my daughter is paying my expenses. See paragraph 2 of this complaint

4. How much money do you have in cash or in a checking, savings, or inmate account?

\$40

5. Do you own any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value, including any item of value held in someone else's name? If so, describe the property and its approximate value:

A little motorcicle Suzuki 125 (2008) with a value of \$400

6. Do you have any housing, transportation, utilities, or loan payments, or other regular monthly expenses? If so, describe and provide the amount of the monthly expense:

No

7. List all people who are dependent on you for support, your relationship with each person, and how much you contribute to their support (only provide initials for minors under 18):

8. Do you have any debts or financial obligations not described above? If so, describe the amounts owed and to whom they are payable:


I owe to Mr. Marcelo Machiñena \$7500. See paragraph 1 of this complaint

**Declaration:** I declare under penalty of perjury that the above information is true. I understand that a false statement may result in a dismissal of my claims.

May 13, 2018

Dated

Penades Daniel

  
Signature

Name (Last, First, MI)

Prison Identification # (if incarcerated)

Rua Quintino do Valle 125 Ap 606 Rio de Janeiro RJ 20250-030

Address

City

State

Zip Code

55 21 983557884

penades@hotmail.com

Telephone Number

E-mail Address (if available)

IFP

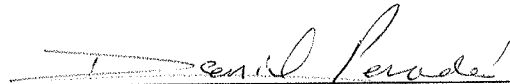
2. Today I work some days (on the week ends) as an extra (freelance), with an average of \$30 per month.

5. \$400 This item is on my name, but in 2017 I sold it to the mother of my daughter and she let me use it. It's very important because at some hours of the night there are no buses, so I can go to work as an extra at any time. Also some times in some films they look for motorcycles and there is a payment for that. In Brazil buses are very expensive, I have to pay R\$ 3.4 to go to downtown, With the little motorcycle I can go and return 5 times with R\$4.4 of gasoline. Without the motorcycle I would not have times to do things, for example when I have to go to the doctor I have to go after I live my daughter at school, then I arrived in 20 minutes to the doctor, if I have to go by bus it would take me about 1 hour to go and another to return, more the time I have to wait.. is not enough time to pick up my daughter after school.

Note

I use the computer of the mother of my daughter during the day or at high hours of the night if I need (I am single and since 2010, I have separation of goods with the mother of my daughter). As I do the complaint from Brazil, to send a mail for every document is very expensive. Also it takes a lot of days to receive documents from the Court, and also takes a lot of days to arrive my documents to New York (if there is no problem). Without ECF it would be impossible to present documents on time.

Date May 12, 2018

A handwritten signature in black ink, appearing to read "Daniel Penades", written over a horizontal line.

Daniel Penades Pro Se